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May 17, 2021

The Honourable Francis Scarpaleggia, M.P., Committee Chair
House of Commons Standing Committee on Environment and Sustainable Development
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Mr. Scarpaleggia:

The Canadian Energy Pipeline Association (CEPA) is pleased to provide our perspective on the House of Commons Standing Committee on Environment and Sustainable Development's study on freshwater. Pipelines, by necessity, are sometimes built across waterways and near aquifers. As such, the transmission pipeline industry has extensive experience and knowledge of the challenges associated with building infrastructure near water.

Keeping our lakes and rivers protected is a priority for pipeline operators. When pipelines cross rivers, streams, lakes, and other bodies of water, operators take special care to protect these areas during all stages of the pipeline's life cycle – from planning, construction, and operations to maintenance and retirement. Each phase of the life cycle is closely monitored by the appropriate regulatory body or agency, and the industry uses established practices and procedures for water crossings to preserve soil, wildlife, vegetation, and water quality. For more information on how pipeline companies protect Canada's rivers, streams, and lakes during a pipeline crossing visit: https://cepa.com/wp-content/uploads/2020/05/2020_Crossing-bodies-of-water_ENG.pdf.

The Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts and The Act to amend the Fisheries Act and other Acts in consequence (formerly Bills C-69 and C-68, respectively) significantly changed how federally regulated projects are reviewed and regulated. These changes included many that relate to building infrastructure near water. As these Acts are still in the early stages of implementation, we recommend that the Federal Government not embark on any additional legislative or regulatory changes. This recommendation is consistent with the Government's stated intentions regarding the potential creation of a Canada Water Agency.

In terms of the Study's focus on "the relationship between the federal government and the provinces, territories, Indigenous peoples, and local governments relating to freshwater protection and management", it is critical to recognize the need to avoid jurisdictional overlap. Furthermore, continuing to rely on provincial systems of allocating water and regulating its use is important as the impacts of water are often local and regional. Allowing provincial water regulators to continue to leverage their decades of local knowledge, scientific data, strategies, and regulation that are well established and effective is in the best interest of all Canadians. Any perceived gaps in freshwater protection and management should be addressed through discussions with provinces and territories to identify ways to achieve desired outcomes through existing or improved collaborative processes.



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As the association that represents the transmission pipeline industry, we have a keen interest in the direction taken on Canada's freshwater policies and regulations, and particularly on the proposal to create a Canada Water Agency. We look forward to future opportunities to engage with the Federal Government and other interested stakeholders as the Standing Committee on Environment and Sustainable Development's study moves forward.

Yours sincerely,

Jim Campbell
Vice President, Business Environment